

APPENDIX 2E
CULTURAL RESOURCES PROGRAMMATIC AGREEMENT

AMENDMENT ONE

**PROGRAMMATIC AGREEMENT
AMONG
THE DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT, WELLS FIELD OFFICE, NEVADA
AND
THE NEVADA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE LONG CANYON PROJECT,
ELKO COUNTY, NEVADA**

WHEREAS, the Bureau of Land Management (BLM) Wells Field Office is amending the Area of Potential Effect (APE) under Stipulations Section II. for possible direct effects to eligible historic properties. Newmont Mining Corporation (Newmont) proposes to construct a spur natural gas pipeline from the newly constructed Ruby Natural Gas Pipeline 42.3 miles to the north, as well as associated wells and supporting facilities construction (Section II B.). The proposed pipeline corridor will cross both publicly and privately owned lands along State Route 233 (SR 233), County Road 765 (CR 765), and County Road 790 (CR 790); and

WHEREAS, The BLM in consultation with SHPO, will identify the APE (see Attachment 1) and that area will be included as an addition to the existing APE for the original 2013 Programmatic Agreement (PA) which will encompass all direct, indirect, and cumulative effects from the natural gas pipeline and associated facilities. If any indirect or direct adverse effects are identified on historic properties from this pipeline project, a Historic Properties Treatment Plan (HPTP) will be needed to mitigate any adverse effects after the Record of Decision (ROD) for the Final Environmental Impact Statement (FEIS) has been signed and prior to construction; and

WHEREAS, The BLM in consultation with SHPO, has identified the indirect effects APE (see Attachment 2) for the Long Canyon Mine Project (Section II C.); and the BLM is expecting adverse indirect effects to historic properties; and

WHEREAS, The BLM in consultation with SHPO will determine the indirect effects on the identified historic properties within the indirect effects APE. The BLM will ensure that Newmont is responsible for completing a report on the indirect effects based on a Class I Inventory Research. A HPTP will be developed to mitigate the indirect effects on historic

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properties within the indirect effects APE from the Long Canyon Project within one (1) year of the signing of the ROD for the FEIS for the project; and

WHEREAS, The BLM has invited the following tribes to be Concurring Parties on this Amendment One to the PA: The Confederated Tribes of the Goshute Indian Reservation (CTGR), the Duckwater Shoshone Tribe , the Wells Band Council, Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, the Elko Band Council, and the Te-Moak Tribe of the Western Shoshone Indians of Nevada ; and

WHEREAS, The BLM has invited the National Park Service (NPS) National Trails Intermountain Region to be a Concurring Party on this Amendment One to the PA; and

WHEREAS, The BLM has invited the following organizations to be Concurring Parties on this Amendment One to the PA: Oregon-California Trails Association (OCTA), Trails West, and the Nevada Northern Railway Museum; and

NOW THEREFORE, Amendment One to the PA will be effective on the date of the last Signatory Party's signature below and a copy is filed with the ACHP.

STIPULATIONS

II. AREA OF POTENTIAL EFFECT

B. The APE for the pipeline entails approximately 1,663 acres and is approximately 42.3 miles in length (Attachment 1). The proposed pipeline will tie into the existing Ruby Pipeline and extend southward on Elko County Road (CR) 765 to the town of Montello, Nevada, along State Route (SR) 233 to Interstate 80 at the Oasis Exit 378, and then southward along Elko CR 790 for approximately 4 miles.

The legal descriptions for the APE includes Section 21 in T35N, R66E; the southern end of the pipeline corridor is in the SE ¼ and SW ¼ of Section 10 in T36N, R66E. Moving northward the pipeline crosses:

T36N, R66E, Sections 2 and 3;

T37N, R66E, Sections 25, 35, and 36;

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T36N, R67E, Sections 1, 2, 9, 10, 11, 16, 17, 19, 20, and 30;
T38N, R67E, Section 36;
T38N, R68E, Sections 2, 10, 11, 15, 21, 22, 28, 29, 31, and 32;
T39N, R68E, Sections 25 and 36;
T39N, R69E, Sections 5, 8, 17, 18, and 19;
T40N, R69E, Sections 5, 8, 17, 20, 29, and 32; and
T41N, R69E, Sections 7, 18, 19, 29, 30, and 32.

The north end of the pipeline corridor lies in the SW ¼ and SE ¼ of Section 6 in T41N, R69E.

C. Indirect Effects APE extends out from a central locality of the proposed open pit mine for the Long Canyon Project in a radius of 12 miles; the western boundary is the summit of the Pepuops Mountain Range, then fanning out to the north, east, and south (see Attachment 2). The area of the indirect effects APE encompasses approximately 183,503 acres. The legal locations are:

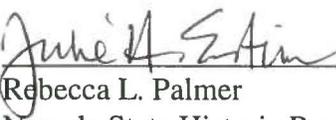
T38N R66E, Sections 25, 26, 34-36;
T38N R67E, Sections 30-33;
T37N R65E, Sections 23-27, 34-36;
T37N R66E, Sections 1-4, 9-17, 19-36;
T37N R67E, Sections 3-11, 13-36;
T37N R68E, Sections 19, 30-32;
T36N R65E, Sections 1, 2, 11-14, 23-26, 35, 36;
T36N R66E;
T36N R67E;
T36N R68E, Sections 5-8, 17-21, 28-33;
T35N R65E, Sections 1, 11-14, 24, 25, 36;
T35N R66E;
T35N R67E;
T35N R68E, Section 4-9, 17-20, 30, 31;
T34N R65E, Sections 1, 2, 11-14, 23, 24;
T34N R66E, Sections 1-24; and
T34N R67E, Sections 2-11, 16-19.

SIGNATORIES:

Bureau of Land Management Elko District


_____ Date 11/19/14
Bryan K. Fuell
Wells Field Office Manager

Nevada State Historic Preservation Office

For  D-SHPO Date 11/21/14
Rebecca L. Palmer
Nevada State Historic Preservation Officer

CONCURRING PARTIES:

Newmont Mining Corporation


_____ Date 12/2/14
Daniel Anderson
Regional Manager, Environmental Affairs

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National Park Service- Western Region

_____ Date
Aaron Mahr, Superintendent

Confederated Tribes of the Goshute Reservation

_____ Date
Madeline Greymountain, Chairperson

Wells Band Council

_____ Date
Michelle Cure, Chairperson

Trails West, Inc.

_____ Date
Ed Otto, President

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Oregon and California Trails Association (OCTA)

Elko District Office

Jere L. Krakow Date *12/2/14*
~~Duane Hes, President~~ *Jere L. Krakow, OCTA*
National Preservation Officer

Nevada Northern Railway Museum

_____ Date
Mark Bassett, Executive Director

Duckwater Shoshone Tribe

_____ Date
Virginia Sanchez, Chairperson

Shoshone-Paiute Tribes of the Duck Valley Indian Reservation

_____ Date
Lindsey W. Manning- Chairman

Elko Band Council

_____ Date
Gerald Temoke, Chairman

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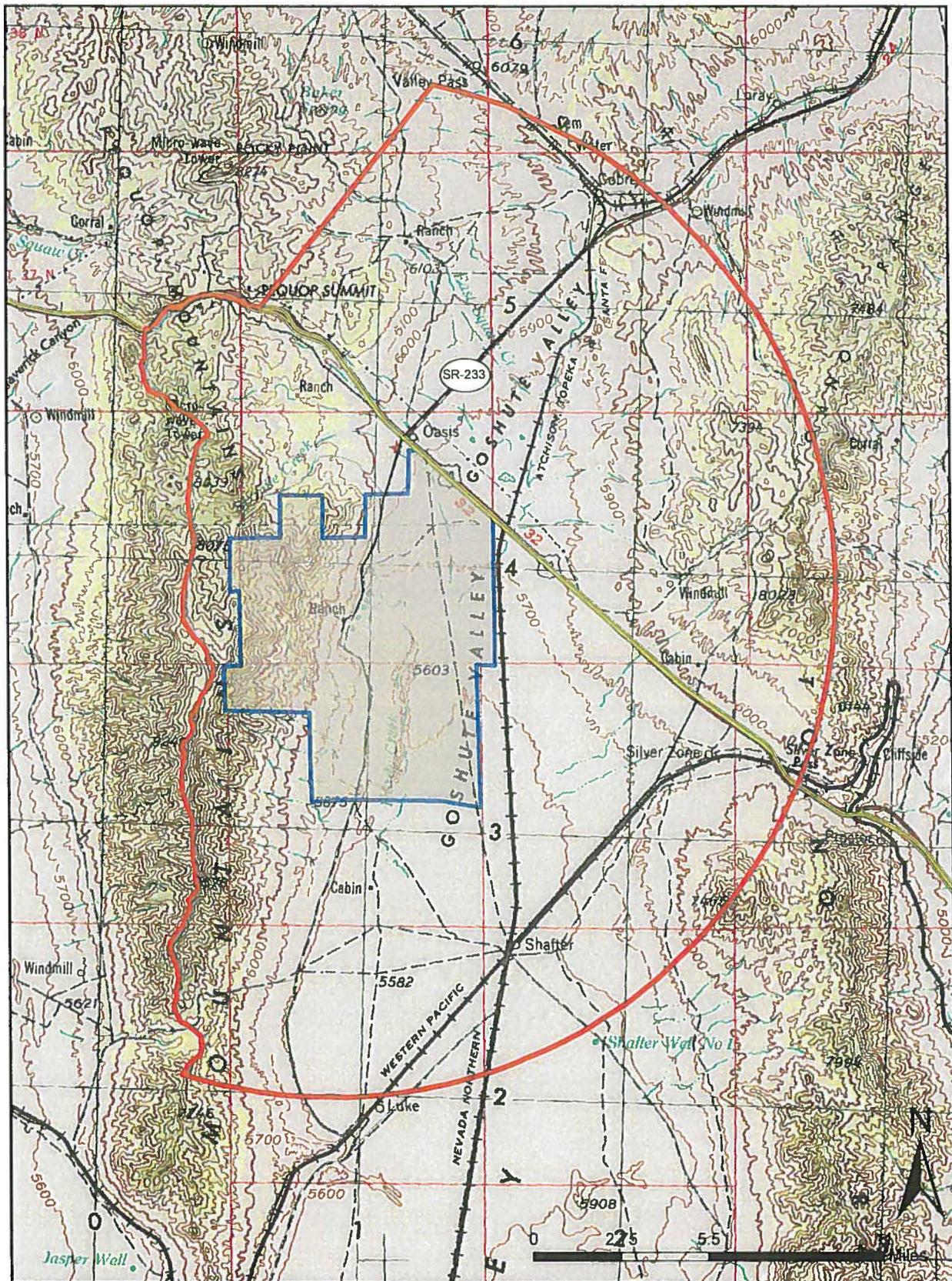
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Te-Moak Tribe of the Western Shoshone Tribe

_____ Date
Davis Gonzalez, Chairman

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Attachment 2: Long Canyon Mine Indirect Effects APE



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Long Canyon Mine Indirect Effects APE Boundary



Long Canyon Mine Plan Boundary